

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

WESTCHESTER FIRE INSURANCE
COMPANY, as subrogee of JURYS DOYLE
HOTEL GROUP USA, LTD. d/b/a
JURYS DOYLE HOTEL, LLC

Plaintiff,

v.

No. 05-cv-11375-MLW

DJ PLUMBING & HEATING, INC.,

Defendant.

PLAINTIFF'S LOCAL RULE 16.1(d)(3) CERTIFICATION

The undersigned hereby certify that they have conferred: (a) with a view to establishing a budget for the cost of conducting the full course - and various alternative courses – of the litigation; and (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

COZEN O'CONNOR

BY: s/ Sean P. O'Donnell
KEVIN J. HUGHES, ESQUIRE
SEAN P. O'DONNELL, ESQUIRE

s/ Timothy K. Dunn
TIMOTHY K. DUNN
On Behalf of Westchester Fire Insurance Co.